

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-2384**

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JAMEL O. FRAZIER,

Plaintiff - Appellant,

versus

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,

Defendant - Appellee,

and

KEN MASON, individually; AARON EVERETT,  
individually; LYNDON TIPPETT, as Secretary of  
the North Carolina Department of  
Transportation,

Defendants.

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Appeal from the United States District Court for the Eastern  
District of North Carolina, at New Bern. Malcolm J. Howard,  
District Judge. (CA-02-15-4-H; CA-02-111-4-H)

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Submitted: August 13, 2004

Decided: September 15, 2004

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Before NIEMEYER and LUTTIG, Circuit Judges, and HAMILTON, Senior  
Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Ralph T. Bryant, Jr., RALPH T. BRYANT, JR., P.A., Havelock, North Carolina, for Appellant. Roy Cooper, Attorney General, Tina A. Krasner, Assistant Attorney General, Raleigh, North Carolina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Jamel O. Frazier appeals the district court's order granting summary judgment to the Defendants in his employment discrimination action. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Frazier v. North Carolina Dep't of Transp., Nos. CA-02-15-4-H; CA-02-111-4-H (E.D.N.C. Oct. 3, 2003). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED